

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Gloria J. Holcombe, )  
Plaintiff, ) C/A No.: 8:05-1452-MBS  
vs. )  
Jo Anne B. Barnhart, Commissioner of )  
Social Security, )  
Defendant. )  
\_\_\_\_\_  
)

**OPINION AND ORDER**

Plaintiff Gloria J. Holcombe filed an application for disability insurance benefits on February 11, 2004, alleging disability commencing December 6, 1996 because of degenerative disc disease and arthritis. The application was denied initially and upon reconsideration. Plaintiff requested a hearing before an administrative law judge (“ALJ”). The ALJ held a hearing on December 8, 2004. On January 27, 2005, the ALJ issued a decision that Plaintiff was not entitled to a period of disability or disability insurance benefits under sections 216(i) and 223, respectively, of the Social Security Act. The decision of the ALJ became the “final decision” of the Commissioner on April 27, 2005, after the Appeals Council determined that there was no basis for granting Plaintiff’s request for review. Plaintiff thereafter brought the within action pursuant to 42 U.S.C. § 405(g), seeking judicial review of the “final decision” of the Commissioner.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bruce H. Hendricks for a Report and Recommendation. On March 23, 2006, the Magistrate Judge filed a Report of Magistrate Judge in which she determined that the findings of the ALJ were supported by substantial evidence. Accordingly, the Magistrate Judge recommended that the decision of the Commissioner be affirmed. No party filed objections to the Report of Magistrate Judge.

The court is charged with making a *de novo* determination of any portions of the Report of Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a thorough review of the Report and the record in this case, the court adopts the Report of Magistrate Judge and incorporates it herein by reference. Accordingly,

It is ORDERED that the Commissioner's decision be **affirmed**.

**IT IS SO ORDERED.**

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/s/ Margaret B. Seymour  
United States District Judge

Columbia, South Carolina

April 18, 2006.